

1 ARNOLDO G. CASILLAS  
 2 35966 Burning Tree Drive  
 3 Newark, CA 94560  
 4 Tel: 510-402-7027

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 SUSAN Y. SOONG  
 CLERK, U.S. DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA  
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UNITED STATES DISTRICT COURT  
 FOR THE NORTHERN DISTRICT OF CALIFORNIA

DUKE PARTNERS II, LLC

Case No.

C17- 0936 JCS

Plaintiff(s).

NOTICE OF REMOVAL

vs.

Superior Court of California, Alameda  
 County; Case No. HG16838867

ARNOLDO G. CASILLAS; IRMA V. JASSO  
 and DOES 1-10.

Defendant(s).

To the clerk of the United States Court for the Northern District of California

Please take notice that Defendants ARNOLDO G. CASILLAS, hereby removes to this Court the  
 State Court action described below:

Defendant ARNOLDO G. CASILLAS gives notice that this action is removed to the United  
 States District Court for the Northern District of California from the Superior Court of Alameda,  
 24405 Amador Street, Hayward, CA 94544, in the county of Alameda, California.

Pursuant to 28 U.S.C. Sections 1331, 1441(a) and 1443(1), the following are the grounds for

1 removal:

2       The defendant is named as the defendant in a civil action filed in the Superior Court of  
3 Alameda titled DUKE PARTNERS II, LLC v. CASILLAS, ET AL. The above referenced case was  
4 commenced by plaintiff when plaintiff filed a Summons and Complaint in the aforementioned court,  
5 case no.: HG16838867, titled DUKE PARTNERS II, LLC v. CASILLAS, ET AL. This Summons  
6 and Complaint is attached hereto as **Exhibit “A”**.  
7

8       The above mentioned is a civil action of which this court has jurisdiction under 28 U.S.C.  
9 section 1443 (1): Denial of due process in Unlawful Detainer: Eviction after foreclosure and/or  
10 rental lease and ejectment, in that the rules of evidence and civil procedure are applied without  
11 equal protection.  
12

13       The amount in controversy due to civil rights violations which it is intended this Court  
14 remedy exceeds \$75,000.  
15

16       Therefore, this is a civil action over which this Court has original jurisdiction and the action  
17 is removable to this Court pursuant to 28 U.S.C., section 1441(a) through 1446.  
18

19       Pursuant to the aforementioned above, the facts of the case are as follows:  
20

21       A. Plaintiff claims to be the owner of the real property that Defendant lives in as of the time of  
22 the Unlawful Detainer case filing on November 15, 2016, per the subject property located  
23 at 35966 Burning Tree Drive, Newark, CA 94560, Alameda County, and seeks to evict  
24 Defendants from the subject property. Whereby, Plaintiff, and Plaintiff's attorney, are not  
25 proceeding in the manner required by the Code of Civil Procedure, and particularly the  
26 rules in evidence that state:  
27

28       Code of Civil Procedure section 128.7 provides that when an attorney or party presents a  
pleading motion or similar paper to the court, an implied “certification” as to its legal and  
factual merit is made, and is subject to sanctions for violation of this certification.  
29

1 Plaintiff's counsel therefore has, in effect, used their knowledge of the law by attempting to  
2 prevent Defendants from fully and accurately presenting their case.

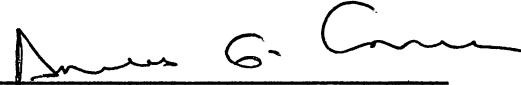
3 Defendants are, therefore, being denied their due process right and equal protection under  
4 the 14<sup>th</sup> Amendment, to protect their tenancy.

5 B. The instant case involves allegations of violations of Defendant's civil rights on the basis of  
6 ARNOLDO G. CASILLAS national origin, namely Mexican (as a US citizen). It is essential  
7 that the federal courts (specifically the Northern District of California) rule on these civil  
8 rights allegations.

9 C. Further, the rules of evidence prohibit under objection, evidence from being admitted  
10 without authentication, and personal knowledge. Defendant's rights to equal protection  
11 under law have been irretrievably compromised in the underlying state court unlawful  
12 detainer lawsuit. Therefore, the actions of Counsel for Plaintiff and the State Court are  
13 depriving Defendant of due process of law in that he is being dispossessed of his property,  
14 in noncompliance with the express language of the aforementioned referenced statute. The  
15 State Court is typically backed by the appellate department in similar matters, and is  
16 therefore not an adequate check on the State Court's mishandling of these matters.

17 WHEREFORE, Defendant prays that the above action now pending in Superior Court of  
18 Alameda, 24405 Amador Street, Hayward, CA 94544, and bearing case no.: HG16838867, be  
19 removed to this court.

20 Dated: February 22, 2017

21 By:   
ARNOLDO G. CASILLAS

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# **EXHIBIT “A”**

SUM-130

**SUMMONS**  
**(CITACION JUDICIAL)**  
**UNLAWFUL DETAINER—EViction**  
**(RETENCIÓN ILÍGITA DE UN INMUEBLE—DESALOJO)**

**NOTICE TO DEFENDANT:** Arnoldo G Casillas; Irma V Jasso  
**(AVISO AL DEMANDADO):**

and Does 1 to 10

**YOU ARE BEING SUED BY PLAINTIFF:**  
**(LO ESTÁ DEMANDANDO EL DEMANDANTE):** DUKE PARTNERS II, LLC

FOR COURT USE ONLY  
(SOLO PARA USO DE LA CORTE)

RECEIVED  
MAY 15 2018

CLERK'S OFFICE, SUPERIOR COURT OF CALIFORNIA

You have 5 CALENDAR DAYS after this summons and legal papers are served on you to file a written response at this court and have a copy served on the plaintiff. (To calculate the five days, count Saturday and Sunday, but do not count other court holidays. If the last day falls on a Saturday, Sunday, or a court holiday then you have the next court day to file a written response.) A letter or phone call will not protect you. Your written response must be in proper legal form if you want the court to hear your case. There may be a court form that you can use for your response. You can find these court forms and more information at the California Courts Online Self-Help Center ([www.courtinfo.ca.gov/whelp/](http://www.courtinfo.ca.gov/whelp/)), your county law library, or the courthouse nearest you. If you cannot pay the filing fee, ask the court clerk for a fee waiver form. If you do not file your response on time, you may lose the case by default, and your wages, money, and property may be taken without further warning from the court.

There are other legal requirements. You may want to call an attorney right away. If you do not know an attorney, you may want to call an attorney referral service. If you cannot afford an attorney, you may be eligible for free legal services from a nonprofit legal services program. You can locate these nonprofit groups at the California Legal Services Web site ([www.lawhelpcalifornia.org](http://www.lawhelpcalifornia.org)), the California Courts Online Self-Help Center ([www.courtinfo.ca.gov/whelp/](http://www.courtinfo.ca.gov/whelp/)), or by contacting your local court or county bar association. NOTE: The court has a statutory fee for waived fees and costs on any settlement or arbitration award of \$10,000 or more in a civil case. The court fee must be paid before the court will dismiss the case.

Tiene 5 DÍAS DE CALENDARIO después de que se entregue este citatorio y papeles legales para presentar una respuesta por escrito en este caso y hacer que se entregue una copia al demandante. (Para calcular los cinco días, conte los sábados y los domingos pero no los cinco días feriados de la corte. Si el último día cae en sábado o domingo, o en un día en que la corte está cerrada, tiene hasta el próximo día de corte para presentar una respuesta por escrito). Una carta o una llamada telefónica no lo protegerán. Su respuesta por escrito tiene que estar en formato legal correcto al respecto que procesan su caso en la corte. Es posible que haya un formulario que usted pueda usar para su respuesta. Puede encontrar estos formularios de la corte y más información en el Centro de Ayuda de las Cortes de California ([www.sucorte.ca.gov](http://www.sucorte.ca.gov)), en la biblioteca de leyes de su condado o en la corte que lo quiere más cerca. Si no puede pagar la cuota de presentación, pida al secretario de la corte que le dé un formulario de exención de pago de cuotas. Si no presenta su respuesta a tiempo, puede perder el caso por incumplimiento y la corte lo podrá quitar su sueldo, dinero y bienes sin más advertencia.

Hay otros requisitos legales. Es recomendable que hable a un abogado inmediatamente. Si no conoce a un abogado, puede llamar a un servicio de notarías o abogados. Si no puede pagar a un abogado, es posible que cumpla con los requisitos para obtener servicios legales gratuitos de un programa de servicios legales sin fines de lucro en el sitio web de California Legal Services ([www.lawhelpcalifornia.org](http://www.lawhelpcalifornia.org)), en el Centro de Ayuda de las Cortes de California, ([www.sucorte.ca.gov](http://www.sucorte.ca.gov)) o póngase en contacto con la corte o el colegio de abogados locales. AVISO: Por ley, la corte tiene derecho a reclamar las cuotas y los costos exentos por imponer un gravamen sobre cualquier recuperación de \$10,000 o más de valor recibida mediante un acuerdo o una conciliación de arbitraje en un caso de derecho civil. Tiene que pagar el gravamen de la corte antes de que la corte pueda desechar el caso.

1. The name and address of the court is: **SUPERIOR COURT OF CALIFORNIA,**  
**(El nombre y dirección de la corte es): COUNTY OF ALAMEDA**

CASE NUMBER  
Número de caso:

**16838867**

24405 Amador Street  
Hayward, CA 94544

Hayward Hall of Justice

2. The name, address, and telephone number of plaintiff's attorney, or plaintiff without an attorney, is:

(El nombre, la dirección y el número de teléfono del abogado del demandante, o del demandante que no tiene abogado, es):  
**Sam Chandra SBN 203942**

Law Offices of Sam Chandra, APC

**710 S. Myrtle Ave., # 600**

**Monrovia, CA 91016-2171**

3. (Must be answered in all cases) An unlawful detainer assistant (Bus. & Prof. Code, §5 8400-8415)  did not  did for compensation give advice or assistance with this form. (If plaintiff has received any help or advice for pay from an unlawful detainer assistant, complete Item 6 on the next page.)

Date: **NOV 1 15 2016**

**Chad Fink**

Clerk, by  
(Secretario)

Deputy  
(Adjunto)

(For proof of service of this summons, use Proof of Service of Summons form POS-010.)

(Para prueba de entrega de esta citación use el formulario Proof of Service of Summons, (POS-010)).

4. NOTICE TO THE PERSON SERVED: You are served

a.  as an individual defendant.  
b.  as the person sued under the fictitious name of (specify):  
c.  as an occupant  
d.  on behalf of (specify):  
under:  CCP 416.10 (corporation)  
 CCP 416.20 (defunct corporation)  
 CCP 416.40 (association or partnership)  
 CCP 416.48 (occupant)  
 CCP 416.60 (minor)  
 CCP 416.70 (conservatee)  
 CCP 416.80 (authorized person)  
other (specify):

5.  by personal delivery on (date):

SUM-130

PLAINTIFF (Name): Duke Partners II, LLC	CASE NUMBER:
DEFENDANT (Name): Arnoldo G Casillas, et al	

6. **Unlawful detainer assistant (complete if plaintiff has received any help or advice for pay from an unlawful detainer assistant):**

- a. Assistant's name:
- b. Telephone no.:
- c. Street address, city, and zip:
- d. County of registration:
- e. Registration no.:
- f. Registration expires on (date):

Notice from the Law Offices of Sam Chandra, APC: Notice: Pursuant to the Fair Debt Collection Practices Act. If this or the attached documents demand any sum of money, we hereby inform you that unless you notify this office within 30 days after receiving this notice that you dispute the validity of this debt or any portion thereof, this office will assume this debt is valid. If you notify this office in writing within 30 days from receiving this notice, this office will: obtain verification of the debt or obtain a copy of a judgment and mail you a copy of such judgment or verification. If you request this office in writing within 30 days after receiving this notice, this office will provide you with the name and address of the original creditor, if different from the current creditor. This is an attempt to collect a debt and any information obtained will be used for this purpose.

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address):  Sam Chandra SBN 203942 Law Offices of Sam Chandra, APC 710 S. Myrtle Ave., # 600 Monte Rio, CA 91016-2171 TELEPHONE NO.: ATTORNEY FOR (Name): PLAINTIFF		CM-010 FOR COURT USE ONLY  NOV 15 2016 16838867 HGS JUDGE: DEPT:
SUPERIOR COURT OF CALIFORNIA, COUNTY OF ALAMEDA STREET ADDRESS: 24405 Amador Street MAILING ADDRESS: Hayward, CA 94544 CITY AND ZIP CODE: HAYWARD HALL OF JUSTICE BRANCH NAME:		
CASE NAME: Duke Partners II, LLC v Casillas		
<b>CIVIL CASE COVER SHEET</b> <input type="checkbox"/> Unlimited (Amount demanded exceeds \$25,000) <input checked="" type="checkbox"/> Limited (Amount demanded is \$25,000 or less)		<b>Complex Case Designation</b> <input type="checkbox"/> Counter <input type="checkbox"/> Joiner Filed with final appearance by defendant (Cal. Rules of Court, rule 3.402)
		CASE NUMBER: 16838867 HGS
Items 1-6 below must be completed (see instructions on page 2).		

<b>1. Check one box below for the case type that best describes this case:</b>			
Auto Tort <input type="checkbox"/> Auto (22) <input type="checkbox"/> Uninsured motorist (45) Other PI/PD/WD (Personal Injury/Property Damage/Wrongful Death) Tort <input type="checkbox"/> Asbestos (44) <input type="checkbox"/> Product liability (24) <input type="checkbox"/> Medical malpractice (45) <input type="checkbox"/> Other PI/PD/WD (23) Non-PI/PD/WD (Other) Tort <input type="checkbox"/> Business tort/non-business practice (17) <input type="checkbox"/> Civil rights (68) <input type="checkbox"/> Defamation (13) <input type="checkbox"/> Fraud (16) <input type="checkbox"/> Intellectual property (19) <input type="checkbox"/> Professional negligence (26) <input type="checkbox"/> Other non-PI/PD/WD (35) Employment <input type="checkbox"/> Wrongful termination (36) <input type="checkbox"/> Other employment (15)		<b>Contract</b> <input type="checkbox"/> Breach of contract/agency (16) <input type="checkbox"/> Rule 3.740 collections (16) <input type="checkbox"/> Other collections (16) <input type="checkbox"/> Insurance coverage (16) <input type="checkbox"/> Other contract (37) <b>Real Property</b> <input type="checkbox"/> Eminent domain/inverse condemnation (14) <input type="checkbox"/> Wrongful eviction (33) <input type="checkbox"/> Other real property (26) <b>Unlawful Detainer</b> <input type="checkbox"/> Commercial (31) <input checked="" type="checkbox"/> Residential (32) <input type="checkbox"/> Drugs (36) <b>Judicial Review</b> <input type="checkbox"/> Asset forfeiture (15) <input type="checkbox"/> Petition re: arbitration award (11) <input type="checkbox"/> Writ of mandate (12) <input type="checkbox"/> Other judicial review (39)	<b>Provisionally Complex Civil Litigation</b> (Cal. Rules of Court, rules 3.403-3.403) <input type="checkbox"/> Antitrust/Trade regulation (16) <input type="checkbox"/> Construction defect (16) <input type="checkbox"/> Mass tort (40) <input type="checkbox"/> Securities litigation (28) <input type="checkbox"/> Environmental/Toxic tort (30) <input type="checkbox"/> Insurance coverage claims arising from the above listed provisionally complex case types (41) <b>Enforcement of Judgment</b> <input type="checkbox"/> Enforcement of judgment (25) <b>Miscellaneous Civil Complaint</b> <input type="checkbox"/> RICO (27) <input type="checkbox"/> Other complaint (not specified above) (42) <b>Miscellaneous Civil Petition</b> <input type="checkbox"/> Partnership and corporate governance (21) <input type="checkbox"/> Other petition (not specified above) (43)

2. This case  is  not complex under rule 3.400 of the California Rules of Court. If the case is complex, mark the factors requiring exceptional judicial management:

- Large number of separately represented parties
- Extensive motion practice raising difficult or novel issues that will be time-consuming to resolve
- Substantial amount of documentary evidence
- Large number of witnesses
- Coordination with related actions pending in one or more courts in other counties, states, or countries, or in a federal court
- Substantial postjudgment judicial supervision

3. Remedies sought (check all that apply): a.  monetary b.  nonmonetary; declaratory or injunctive relief c.  punitive

4. Number of causes of action (specify): one      unlawful detainer

5. This case  is  not a class action suit.

6. If there are any known related cases, file and serve a notice of related case. (You may use form CM-015.)

Date: 11/15/16

Sam Chandra

(TYPE OR PRINT NAME)

SIGNATURE OF PARTY OR ATTORNEY FOR PARTY

**NOTICE**

- Plaintiff must file this cover sheet with the first paper filed in the action or proceeding (except small claims cases or cases filed under the Probate Code, Family Code, or Welfare and Institutions Code). (Cal. Rules of Court, rule 3.220.) Failure to file may result in sanctions.
- File this cover sheet in addition to any cover sheet required by local court rule.
- If this case is complex under rule 3.400 et seq. of the California Rules of Court, you must serve a copy of this cover sheet on all other parties to the action or proceeding.
- Unless this is a collections case under rule 3.740 or a complex case, this cover sheet will be used for statistical purposes only.

## INSTRUCTIONS ON HOW TO COMPLETE THE COVER SHEET

**To Plaintiffs and Others Filing First Papers.** If you are filing a first paper (for example, a complaint) in a civil case, you must complete and file, along with your first paper, the Civil Case Cover Sheet contained on page 1. This information will be used to compile statistics about the types and numbers of cases filed. You must complete items 1 through 6 on the sheet. In item 1, you must check one box for the case type that best describes the case. If the case fits both a general and a more specific type of case listed in item 1, check the more specific one. If the case has multiple causes of action, check the box that best indicates the primary cause of action. To assist you in completing the sheet, examples of the cases that belong under each case type in item 1 are provided below. A cover sheet must be filed only with your initial paper. Failure to file a cover sheet with the first paper filed in a civil case may subject a party, its counsel, or both to sanctions under rules 2.30 and 3.220 of the California Rules of Court.

**To Parties in Rule 3.740 Collections Cases.** A "collections case" under rule 3.740 is defined as an action for recovery of money owed in a sum stated to be certain that is not more than \$25,000, exclusive of interest and attorney's fees, arising from a transaction in which property, services, or money was acquired on credit. A collections case does not include an action seeking the following: (1) tort damages, (2) punitive damages, (3) recovery of real property, (4) recovery of personal property, or (5) a prejudgment writ of attachment. The identification of a case as a rule 3.740 collections case on this form means that it will be exempt from the general time-for-service requirements and case management rules, unless a defendant files a responsive pleading. A rule 3.740 collections case will be subject to the requirements for service and obtaining a judgment in rule 3.740.

**To Parties in Complex Cases.** In complex cases only, parties must also use the Civil Case Cover Sheet to designate whether the case is complex. If a plaintiff believes the case is complex under rule 3.400 of the California Rules of Court, this must be indicated by completing the appropriate boxes in items 1 and 2. If a plaintiff designates a case as complex, the cover sheet must be served with the complaint on all parties to the action. A defendant may file and serve no later than the time of its first appearance a joinder in the plaintiff's designation, a counter-designation that the case is not complex, or, if the plaintiff has made no designation, a designation that the case is complex.

## Auto Tort

- Auto (22)–Personal Injury/Property
- Damage/Wrongful Death
- Uninsured Motorist (46) (*If the case involves an uninsured motorist claim subject to arbitration, check this item instead of Auto*)

## Other PI/PD/WD (Personal Injury/Property Damage/Wrongful Death) Tort

- Asbestos (04)
- Asbestos Property Damage
- Asbestos Personal Injury/Wrongful Death
- Product Liability (*not asbestos or toxic/environmental*) (24)
- Medical Malpractice (45)
- Medical Malpractice–Physicians & Surgeons
- Other Professional Health Care Malpractice
- Other PI/PD/WD (23)
- Premises Liability (e.g., slip and fall)
- Intentional Bodily Injury/PD/WD (e.g., assault, vandalism)
- Intentional Infliction of Emotional Distress
- Negligent Infliction of Emotional Distress
- Other PI/PD/WD

## Non-PI/PD/WD (Other) Tort

- Business Tort/Unfair Business Practice (07)
- Civil Rights (e.g., discrimination, false arrest) (*not civil harassment*) (08)
- Defamation (e.g., slander, libel) (13)
- Fraud (16)
- Intellectual Property (19)
- Professional Negligence (25)
- Legal Malpractice
- Other Professional Malpractice (*not medical or legal*)
- Other Non-PI/PD/WD Tort (35)

## Employment

- Wrongful Termination (38)
- Other Employment (15)

## CASE TYPES AND EXAMPLES

- Contract**
  - Breach of Contract/Warranty (06)
  - Breach of Rental/Lease
  - Contract (*not unlawful detainer or wrongful eviction*)
  - Contract/Warranty Breach–Seller
  - Plaintiff (*not fraud or negligence*)
  - Negligent Breach of Contract/Warranty
  - Other Breach of Contract/Warranty
  - Collections (e.g., money owed, open book accounts) (09)
  - Collection Case–Seller Plaintiff
  - Other Promissory Note/Collections Case
  - Insurance Coverage (*not provisionally complex*) (18)
  - Auto Subrogation
  - Other Coverage
  - Other Contract (37)
  - Contractual Fraud
  - Other Contract Dispute
- Real Property**
  - Eminent Domain/Inverse Condemnation (14)
  - Wrongful Eviction (33)
  - Other Real Property (e.g., quiet title) (26)
  - Writ of Possession of Real Property
  - Mortgage Foreclosure
  - Quiet Title
  - Other Real Property (*not eminent domain, landlord/tenant, or foreclosure*)
- Unlawful Detainer**
  - Commercial (31)
  - Residential (32)
  - Drugs (38) (*If the case involves illegal drugs, check this item; otherwise, report as Commercial or Residential*)
- Judicial Review**
  - Asset Forfeiture (05)
  - Petition Re: Arbitration Award (11)
  - Writ of Mandate (02)
  - Writ–Administrative Mandamus
  - Writ–Mandamus on Limited Court Case Matter
  - Writ–Other Limited Court Case Review
  - Other Judicial Review (39)
  - Review of Health Officer Order
  - Notice of Appeal–Labor Commissioner Appeals
- Provisionally Complex Civil Litigation (Cal. Rules of Court Rules 3.400–3.403)**
  - Antitrust/Trade Regulation (03)
  - Construction Defect (10)
  - Claims Involving Mass Tort (40)
  - Securities Litigation (28)
  - Environmental/Toxic Tort (30)
  - Insurance Coverage Claims (*arising from provisionally complex case type listed above*) (41)
- Enforcement of Judgment**
  - Enforcement of Judgment (20)
  - Abstract of Judgment (Out of County)
  - Confession of Judgment (*non-domestic relations*)
  - Sister State Judgment
  - Administrative Agency Award (*not unpaid taxes*)
  - Petition/Certification of Entry of Judgment on Unpaid Taxes
  - Other Enforcement of Judgment Case
- Miscellaneous Civil Complaint**
  - RICO (27)
  - Other Complaint (*not specified above*) (42)
  - Declaratory Relief Only
  - Injunctive Relief Only (*non-harassment*)
  - Mechanics Lien
  - Other Commercial Complaint Case (*non-tort/non-complex*)
  - Other Civil Complaint (*non-tort/non-complex*)
- Miscellaneous Civil Petition**
  - Partnership and Corporate Governance (21)
  - Other Petition (*not specified above*) (43)
  - Civil Harassment
  - Workplace Violence
  - Elder/Dependent Adult Abuse
  - Election Contest
  - Petition for Name Change
  - Petition for Relief From Late Claim
  - Other Civil Petition

**NOTICE: EVERYONE WHO LIVES IN THIS RENTAL UNIT MAY BE EVICTED BY COURT ORDER. READ THIS FORM IF YOU LIVE HERE AND IF YOUR NAME IS NOT ON THE ATTACHED SUMMONS AND COMPLAINT.**

1. If you live here and you do not complete and submit this form, you may be evicted without further hearing by the court along with the persons named in the Summons and Complaint.

2. You must file this form within 10 days of the date of service listed in the box on the right hand side of this form.

- **Exception:** If you are a tenant being evicted after your landlord lost the property to foreclosure, the 10-day deadline does not apply to you and you may file this form at any time before judgment is entered.

3. If you file this form, your claim will be determined in the eviction action against the persons named in the complaint.

4. If you do not file this form, you may be evicted without further hearing.

5. If you are a tenant being evicted due to foreclosure, you have additional rights and should seek legal advice immediately.

CP10.5

CLAIMANT OR CLAIMANT'S ATTORNEY (Name and Address): <b>TELEPHONE NO.:</b>		FOR COURT USE ONLY
ATTORNEY FOR (Name):		
NAME OF COURT:		
STREET ADDRESS:		
MAILING ADDRESS:		
CITY AND ZIP CODE:		
BRANCH NAME:		
Plaintiff:		
Defendant:		
<b>PREJUDGMENT CLAIM OF RIGHT TO POSSESSION</b>		
<p>Complete this form only if ALL of these statements are true:</p> <p>1. You are NOT named in the accompanying Summons and Complaint.</p> <p>2. You occupied the subject premises on or before the date the unlawful detainer (eviction) complaint was filed. (The date is in the accompanying Summons and Complaint.)</p> <p>3. You still occupy the subject premises.</p>		
<p>CASE NUMBER:</p> <p><b>1G16838867</b></p> <p>(To be completed by the process server)</p>		<p>DATE OF SERVICE:</p> <p>(Date that form is served or delivered, posted, and mailed by the officer or process server)</p>

I DECLARE THE FOLLOWING UNDER PENALTY OF PERJURY:

1. My name is (specify):
2. I reside at (street address, unit no., city and ZIP code):
3. The address of "the premises" subject to this claim is (address):
4. On (insert date): , the landlord or the landlord's authorized agent filed a complaint to recover possession of the premises. (This date is in the accompanying Summons and Complaint.)
5. I occupied the premises on the date the complaint was filed (the date in Item 4). I have continued to occupy the premises ever since.
6. I was at least 18 years of age on the date the complaint was filed (the date in Item 4).
7. I claim a right to possession of the premises because I occupied the premises on the date the complaint was filed (the date in Item 4).
8. I was not named in the Summons and Complaint.
9. I understand that if I make this claim of possession, I will be added as a defendant to the unlawful detainer (eviction) action.
10. (Filing fee) I understand that I must go to the court and pay a filing fee of \$ or file with the court an "Application for Waiver of Court Fees and Costs." I understand that if I don't pay the filing fee or file the form for waiver of court fees, I will not be entitled to make a claim of right to possession.

(Continued on reverse)

CP10.5

Plaintiff:	CASE NUMBER:
Defendant:	

11. If my landlord lost this property to foreclosure, I understand that I can file this form at any time before judgment is entered, and that I have additional rights and should seek legal advice.
12. I understand that I will have five days (excluding court holidays) to file a response to the Summons and Complaint after I file this Prejudgment Claim of Right to Possession form.

**NOTICE: If you fail to file this claim, you may be evicted without further hearing.**

13. Rental agreement. I have (check all that apply):

- a.  an oral or written rental agreement with the landlord.
- b.  an oral or written rental agreement with a person other than the landlord.
- c.  an oral or written rental agreement with the former owner who lost the property to foreclosure.
- d.  other (explain):

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

**WARNING: Perjury is a felony punishable by imprisonment in the state prison.**

Date:

(TYPE OR PRINT NAME)

(SIGNATURE OF CLAIMANT)

**NOTICE: If you file this claim to possession, the unlawful detainer action against you will be determined at trial. At trial, you may be found liable for rent, costs, and, in some cases, treble damages.****— NOTICE TO OCCUPANTS —**

**YOU MUST ACT AT ONCE** if all the following are true:

1. You are NOT named in the accompanying Summons and Complaint.
2. You occupied the premises on or before the date the unlawful detainer (eviction) complaint was filed.
3. You still occupy the premises.

You can complete and **SUBMIT THIS CLAIM FORM WITHIN 10 DAYS** from the date of service (on the form) at the court where the unlawful detainer (eviction) complaint was filed. If you are a tenant and your landlord lost the property you occupy through foreclosure, this 10-day deadline does not apply to you. You may file this form at any time before judgment is entered. You should seek legal advice immediately.

If you do not complete and submit this form (and pay a filing fee or file a fee waiver form if you cannot pay the fee), **YOU WILL BE EVICTED**.

After this form is properly filed, you will be added as a defendant in the unlawful detainer (eviction) action and your right to occupy the premises will be decided by the court. *If you do not file this claim, you may be evicted without a hearing.*

SUM-100

**SUMMONS**  
**(CITACION JUDICIAL)**

FOR COURT USE ONLY  
(SOLO PARA USO DE LA CORTE)

**NOTICE TO DEFENDANT:**  
**(AVISO AL DEMANDADO):**

**YOU ARE BEING SUED BY PLAINTIFF:**  
**(LO ESTÁ DEMANDANDO EL DEMANDANTE):**

**NOTICE!** You have been sued. The court may decide against you without your being heard unless you respond within 30 days. Read the information below.

You have 30 CALENDAR DAYS after this summons and legal papers are served on you to file a written response at this court and have a copy served on the plaintiff. A letter or phone call will not protect you. Your written response must be in proper legal form if you want the court to hear your case. There may be a court form that you can use for your response. You can find these court forms and more information at the California Courts Online Self-Help Center ([www.courtinfo.ca.gov/sefhelp](http://www.courtinfo.ca.gov/sefhelp)), your county law library, or the courthouse nearest you. If you cannot pay the filing fee, ask the court clerk for a fee waiver form. If you do not file your response on time, you may lose the case by default, and your wages, money, and property may be taken without further warning from the court.

There are other legal requirements. You may want to call an attorney right away. If you do not know an attorney, you may want to call an attorney referral service. If you cannot afford an attorney, you may be eligible for free legal services from a nonprofit legal services program. You can locate these nonprofit groups at the California Legal Services Web site ([www.lawhelpcalifornia.org](http://www.lawhelpcalifornia.org)), the California Courts Online Self-Help Center ([www.courtinfo.ca.gov/sefhelp](http://www.courtinfo.ca.gov/sefhelp)), or by contacting your local court or county bar association. **NOTE:** The court has a statutory lien for waived fees and costs on any settlement or arbitration award of \$10,000 or more in a civil case. The court's lien must be paid before the court will dismiss the case.

**AVISO!** *Lo han demandado. Si no responde dentro de 30 días, la corte puede decidir en su contra sin escuchar su versión. Lea la información a continuación.*

**Tiene 30 DÍAS DE CALENDARIO** después de que le entreguen esta citación y papeles legales para presentar una respuesta por escrito en esta corte y hacer que se entregue una copia al demandante. Una carta o una llamada telefónica no lo protegen. Su respuesta por escrito tiene que estar en formato legal correcto si desea que procesen su caso en la corte. Es posible que haya un formulario que usted pueda usar para su respuesta. Puede encontrar estos formularios de la corte y más información en el Centro de Ayuda de las Cortes de California ([www.sucorte.ca.gov](http://www.sucorte.ca.gov)), en la biblioteca de leyes de su condado o en la corte que le quede más cerca. Si no puede pagar la cuota de presentación, pida al secretario de la corte que le dé un formulario de exención de pago de cuotas. Si no presenta su respuesta a tiempo, puede perder el caso por incumplimiento y la corte le podrá quitar su sueldo, dinero y bienes sin más advertencia.

**Hay otros requisitos legales. Es recomendable que llame a un abogado inmediatamente. Si no conoce a un abogado, puede llamar a un servicio de remisión a abogados. Si no puede pagar a un abogado, es posible que cumpla con los requisitos para obtener servicios legales gratuitos de un programa de servicios legales sin fines de lucro. Puede encontrar estos grupos sin fines de lucro en el sitio web de California Legal Services, ([www.lawhelpcalifornia.org](http://www.lawhelpcalifornia.org)), en el Centro de Ayuda de las Cortes de California, ([www.sucorte.ca.gov](http://www.sucorte.ca.gov)) o poniéndose en contacto con la corte o el colegio de abogados locales. AVISO: Por ley, la corte tiene derecho a reclamar las cuotas y los costos exentos por imponer un gravamen sobre cualquier recuperación de \$10,000 ó más de valor recibida mediante un acuerdo o una concesión de arbitraje en un caso de derecho civil. Tiene que pagar el gravamen de la corte antes de que la corte pueda desechar el caso.**

The name and address of the court is:  
(El nombre y dirección de la corte es):

CASE NUMBER:  
(Número del Caso):

The name, address, and telephone number of plaintiff's attorney, or plaintiff without an attorney, is:  
(El nombre, la dirección y el número de teléfono del abogado del demandante, o del demandante que no tiene abogado, es):

DATE:  
(Fecha)

Clerk, by \_\_\_\_\_ Deputy \_\_\_\_\_  
(Secretario) \_\_\_\_\_ (Adjunto)

(For proof of service of this summons, use Proof of Service of Summons (form POS-010).)

(Para prueba de entrega de esta citación use el formulario Proof of Service of Summons, (POS-010)).

**NOTICE TO THE PERSON SERVED:** You are served

1.  as an individual defendant.
2.  as the person sued under the fictitious name of (specify):

3.  on behalf of (specify):

under: <input type="checkbox"/>	CCP 416.10 (corporation)	<input type="checkbox"/>	CCP 416.60 (minor)
<input type="checkbox"/>	CCP 416.20 (defunct corporation)	<input type="checkbox"/>	CCP 416.70 (conservatee)
<input type="checkbox"/>	CCP 416.40 (association or partnership)	<input type="checkbox"/>	CCP 416.90 (authorized person)
<input type="checkbox"/>	other (specify):		

4.  by personal delivery on (date):

1 SAM CHANDRA (# 203942)  
2 LAW OFFICES OF SAM CHANDRA, APC  
3 710 S. MYRTLE AVE., # 600  
MONROVIA, CA 91016  
(626) 256-4999

RECEIVED  
CLERK'S OFFICE  
ALAMEDA COUNTY, CALIFORNIA  
FEB 13 2017

WON 13 2017

RECEIVED  
CLERK'S OFFICE

ALAMEDA COUNTY, CALIFORNIA  
FEB 13 2017

4 ATTORNEYS FOR PLAINTIFF  
5  
6

7 SUPERIOR COURT FOR THE STATE OF CALIFORNIA

8 COUNTY OF ALAMEDA

9  
10 DUKE PARTNERS II, LLC

) Case No. HG 16838867

11 Plaintiff,

) COMPLAINT FOR UNLAWFUL  
DETAINER

12 vs.

) Action based on Code of Civil Procedure  
Section 1161a

13  
14 ARNOLDO G CASILLAS; IRMA V JASSO

) LIMITED CIVIL

15 and Does 1 to 10,

)

16 Defendants.

) DEMAND EXCEEDS \$ 10,000

17 Plaintiff alleges as follows:

18 1. Plaintiff is a Limited Liability Co

19 2. Plaintiff alleges a cause of action against the following person(s) hereinafter "Defendants" for  
20 Unlawful Detainer: Arnaldo G Casillas; Irma V Jasso

21  
22 3. The true names or capacities, whether individual, corporate, associate, or otherwise, of  
23 Defendants DOES 1 through 10, inclusive, are unknown to Plaintiff, who therefore sues said  
24 Defendants by such fictitious names. Plaintiff is informed and believes and on such information

1 and belief alleges, that each of the Defendants designated herein as DOE was legally responsible  
2 in some manner for the events and happenings herein referred to and legally caused damages  
3 approximately thereby to Plaintiff as herein alleged.

4 4. On 10/21/2016 Plaintiff became the owner of real property by purchasing said property at a  
5 foreclosure sale.

6 5. Title under this sale has been duly perfected.

7 6. Pursuant to the recitations contained within the Trustee's Deed Upon Sale, the foreclosure sale,  
8 and all required notices were accomplished in compliance with CC §2924 et. seq..

9 7. The Real Property as stated above bears the APN number of: 092A051302800

10 8. The Real Property as stated above is located at: 35966 Burning Tree Drive, Newark, CA  
11 94560, County of ALAMEDA

12 9. No landlord/tenant relationship exists between the purchaser and the Defendants.

13 10. Since the date of sale, and continuing to present, Defendants have occupied said premises  
14 without the consent or authorization of the purchaser.

15 11. Defendants' title, if any, to said premises, that existed prior to the date of sale, was extinguished  
16 by said sale.

17 12. On 11/07/16 , Plaintiff caused to be served on the Defendants a written notice in compliance  
18 with the Code of Civil Procedure, Section 1161a et seq., requiring and demanding that  
19 Defendant(s) quit and deliver up possession of the premises within 3 days.

20 13. More than 3 days have elapsed since the service of said notice. The notice has expired, but  
21 Defendants have failed and refused, and continues to fail and refuse, to quit and deliver up  
22 possession of the premises, Defendant(s) now being in possession thereof.

23 14. The reasonable rental rate of the premises is \$ 4,125.00 per month. The daily rate based upon  
24 a 30 day month is \$ 137.50.

25 15. Plaintiff is being damaged by the detention of this property in the sum of not less than \$ 137.50  
26 per day for the use and occupancy of said premises, and will continue to sustain damages at said  
27 rate for so long as Defendants remain in possession of the premises.

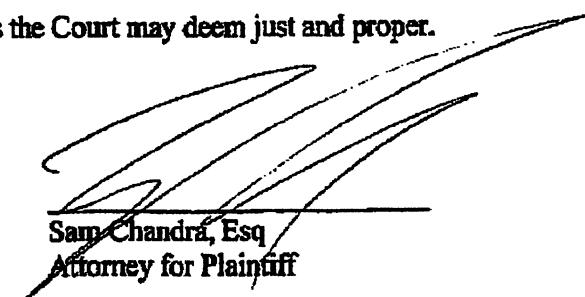
28

- 1 16. Plaintiff has not received any rents or other compensation from the Defendant(s).
- 2 17. The Defendants hold-over and continue in possession of the premises. Said hold-over and
- 3 continued possession is willful, intentional, deliberate, and without permission or consent of
- 4 Plaintiff. Plaintiff is entitled to immediate possession of the premises.
- 5 18. The premises are located in the above-entitled judicial district.
- 6 19. Defendants have had use and enjoyment of the premises, at the detriment of Plaintiff from the
- 7 date of the service of the notice through today and will continue to enjoy the same through the
- 8 date of entry of judgment or the date Plaintiff is finally able to recover possession of the
- 9 premises.

11 WHEREFORE, Plaintiff prays against Defendants, and each of them, as follows:

- 12 1. For restitution and possession of the premises;
- 13 2. For damages in the amount of \$137.50 per day or as allowed by law from 11/11/16
- 14 to the date of entry of judgment, or recovery of possession of the premises;
- 15 3. For Plaintiff's costs of suit;
- 16 4. For such other and further relief as the Court may deem just and proper.

18 Executed 11/15/16



Sam Chandra, Esq  
Attorney for Plaintiff

22 EXHIBIT LIST:

23 The following exhibits are attached and incorporated into the complaint by reference:

- 24 1. Verification to Complaint
- 25 2. Deed
- 26 3. Notice and proof of service.

**VERIFICATION of the Complaint:**

1348

**¶ 1.1 The Plaintiff:**

[ ] I am an Officer of the Plaintiff in this action, and am authorized to make this verification for and on its behalf.

I am a partner of the Plaintiff in this action, and am authorized to make this verification for and on its behalf.

I am an agent of the Plaintiff in this action, and am authorized to make this verification for and on its behalf.

The matters stated in the foregoing document are true of my own knowledge except as to those matters stated on information and belief, and as to those matters I believe them to be true.

I request that a facsimile whether by traditional fax or by "scan and e-fax or e-mail" be accepted as an original pursuant to CRC 2.305(d).

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed in Redondo Beach, California. Pursuant to Code of Civil Procedure, Sections 2015.5 and 396a.

•Olivia Reyes

**(Name, printed or typed)**

11/15/16  
(Date)

(Signature)

Pursuant to Evidence Code, § 1523 and Calif. Rules of Court, Rule 2.305(d), a signature hereon, in any form produced by facsimile transmission is admissible as an original.

**Declaration of Attorney re Verification:** My client has indicated to me that they are unable to proceed to my office to deliver a "wet ink signature", as such this document is either a faxed copy of the original or a scanned and e-mailed copy of the original. I request the court to accept it as an original per CRC 2.305(d). Sam Chandra 11/15/16.

Notice: Pursuant to the Fair Debt Collection Practices Act. If this document demands any sum of money, we hereby inform you that unless you notify this office within 30 days after receiving this notice that you dispute the validity of this debt or any portion thereof, this office will assume this debt is valid. If you notify this office in writing within 30 days from receiving this notice, this office will obtain verification of the debt or obtain a copy of a judgment and mail you a copy of such judgment or verification. If you request this office in writing within 30 days after receiving this notice, this office will provide you with the name and address of the original creditor, if different from the current creditor. This is an attempt to collect a debt and any information obtained will be used for this purpose.

Recording Requested By  
ARISTA NATIONAL TITLE

RECORDING REQUESTED BY:



2016289605

11/04/2016 01:00 PM

OFFICIAL RECORDS OF ALAMEDA COUNTY  
STEVE MANNING  
RECORDING FEE: 18.00  
COUNTY TAX: 740.30

WHEN RECORDED MAIL DEED  
AND TAX STATEMENT TO:

DUKE PARTNERS II, LLC  
2015 MANHATTAN BEACH BLVD #100  
REDONDO BEACH, CA 90278



1340714  
APN: 092A-0513-028-00 TS No: CA09000305-14-1 TO No: 140168176-CA-VO1  
35966 BURNING TREE DRIVE  
NEWARK, CA 94560 TRUSTEE'S DEED UPON SALE

The undersigned Grantor, under penalty of perjury, declares:

- 1) The Grantee herein was not the foreclosing beneficiary.
- 2) The amount of the unpaid debt together with costs was: \$614,755.92
- 3) The amount paid by the Grantee at the trustee sale was: \$673,000.00
- 4) The documentary transfer tax is: \$ 740.30
- 5) Said property is in the city of: NEWARK
- 6) A.P.N. 092A-0513-028-00

and MTC Financial Inc. dba Trustee Corps, herein called "Trustee", as Trustee (or as Successor Trustee) of the Deed of Trust hereinafter described, hereby grants and conveys, but without covenant or warranty, express or implied, to DUKE PARTNERS II, LLC, herein called "Grantee", the real property in the County of Alameda, State of California, described as follows:

LOT 158, AS SAID LOT IS SHOWN ON THE MAP OF "TRACT 2298, CITY OF NEWARK", ALAMEDA COUNTY, CALIFORNIA", FILED AUGUST 15, 1963 IN THE OFFICE OF THE COUNTY RECORDER OF ALAMEDA COUNTY IN BOOK 46 OF MAPS, AT PAGE 80 THROUGH 85.

This deed is made pursuant to the authority and powers given to Trustee (or to Successor Trustee) by law and by that certain Deed of Trust dated November 5, 2007, made to ARNOLDO G. CASILLAS AND IRMA V. JASSO and recorded on November 15, 2007, as Instrument No. 2007395318 of Official Records in the office of the Recorder of Alameda County, CA, Trustee (or Successor Trustee) having complied with all applicable statutory provisions and having performed all of his duties under the said Deed of Trust.

This document is recorded only as an accommodation. It has not been examined or abstracted and no liability is assumed as to its content, execution or effect on title.  
ARISTA NATIONAL TITLE

APN: 092A-0513-028-00

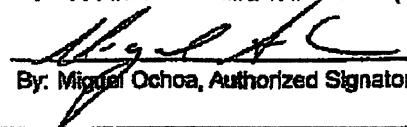
TS No: CAD0000305-14-1

TO No: 140188176-CA-VOI

All requirements of law and of said Deed of Trust relating to this sale and to notice thereof having been complied with. Pursuant to the Notice of Trustee's Sale, the above described property was sold by Trustee (or Successor Trustee) at public auction on October 21, 2016 at the place specified in said Notice, to Grantee who was the highest bidder therefore, for \$673,000.00 cash, in lawful money of the United States, which has been paid.

Dated: 10/28/16

MTC Financial Inc. dba Trustee Corps

  
By: Miguel Ochoa, Authorized Signatory

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document, to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

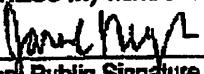
State of CALIFORNIA  
County of ORANGE

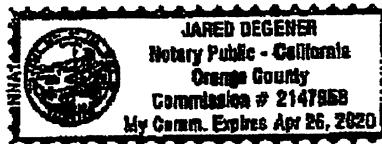
Jared Degener

On 10-28-16 before me, Jared Degener, a Notary Public, personally appeared MIGUEL OCHOA, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of CALIFORNIA that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

  
Notary Public Signature



**Notice to Any Renters Living At**

**35966 Burning Tree Drive  
Newark, California 94560**

**The attached notice means that your home was recently sold in foreclosure and the new owner plans to evict you.**

**You should talk to a lawyer NOW to see what your rights are. You may receive court papers in a few days. If your name is on the papers it may hurt your credit if you do not respond and simply move out.**

**Also, if you do not respond within five days of receiving the papers, even if you are not named in the papers, you will likely lose any rights you may have. In some cases, you can respond without hurting your credit. You should ask a lawyer about it.**

**You may have the right to stay in your home for 90 days or longer, regardless of any deadlines stated on any attached papers. In some cases and in some cities with a "just cause for eviction law," you may not have to move at all. But you must take the proper legal steps in order to protect your rights.**

**How to Get Legal Help**

**If you cannot afford an attorney, you may be eligible for free legal services from a nonprofit legal services program. You can locate these nonprofit groups at the California Legal Services Internet Web site ([www.lawhelpca.org](http://www.lawhelpca.org)), the California Courts Online Self-Help Center ([www.courtinfo.ca.gov/selfhelp](http://www.courtinfo.ca.gov/selfhelp)), or by contacting your local court or county bar association.**

**NOTICE TO QUIT**

**TO: Arnoldo G. Casillas and Irma V. Jasso,**  
and does 1-10, and all other persons and/or entities in possession of the property commonly known as: 35966 Burning Tree Drive Newark California 94560. I / we represent the owner of the property with respect to your occupancy therein.

**[3 - DAYS]**

If you were the trustor on the deed of trust for the property described by the address above or a person under whom such person claims possession, then: Within three (3) days after service of this notice, you are hereby required to deliver up possession of the property. [CCP § 1161a(b)(3)]

If you are not described above, the below paragraphs apply:

**[30 - DAYS]**

If you are a tenant, subtenant, or occupant in possession of the above described property, you are hereby required to deliver up possession of the Property within thirty (30) days after service of this notice; [Pursuant to CCP § 1161a(c) or Civil Code § 789.]

**[90 - DAYS]**

This paragraph does not apply if any party to the note (deed of trust) remains in the property as a tenant, subtenant, or occupant. Notwithstanding the above: If you were a rent paying tenant or subtenant in possession of the above described property, under a month-to-month lease or periodic tenancy at the time the property was sold in foreclosure then: Within ninety (90) days after service of this notice, you are hereby required to deliver up possession of the Property.

Possession of the property must be delivered to the undersigned or to Duke Partners II, LLC, who is authorized to receive the same.

This notice is given pursuant to California Code of Civil Procedure § 1161a et seq and / or CC § 789 and as the Property has been sold in accordance with Civil Code § 2924 under a power of sale contained within the deed of trust executed by you (or the former trustor), and the title under the sale has been duly perfected. Therefore, unless you vacate and deliver up possession of the Property within the time described above, we will immediately file an unlawful detainer (eviction) lawsuit against you to recover possession of the Property, all damages (including monies pursuant to Code of Civil Procedure section 1174(b) and any other damages allowed by law), costs and attorneys' fees.

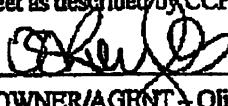
Note, if there is any ambiguity causing you to be described by more than one category enumerated above, then the category with the greatest length of time shall prevail.

State law permits former occupants to reclaim abandoned personal property left at the former address of the occupant, subject to certain conditions. You may or may not be able to reclaim property without incurring additional costs, depending on the cost of storing the property and the length of time before it is reclaimed. In general, these costs will be lower the sooner you contact the owner as listed above, after being notified that property belonging to you was left behind after you moved out.

Active Military: If you are active in the United States Military or otherwise entitled to the benefits of the Servicemembers Civil Relief Act (50 U.S.C. App. § 501 et seq.), please contact the below signed immediately. Note, proof of status may be required and reviewed under Federal Law.

This notice was served concurrently with the coversheet as described by CCP 1161c.

11/7/2016

  
OWNER/AGENT - Olivia Reyes

Attorney of Party Without Attorney (Name and Address) <b>Law Offices of Sam Chandra</b> <b>710 S. Myrtle Avenue, # 600</b> <b>Monrovia</b> <b>Attorney For: PLAINTIFF</b>			Telephone No.: <b>(626)256-4999</b>	<b>FOR COURT USE ONLY</b>
<b>CA</b> <b>91016</b>			Reference Number: <b>3702385</b> <b>22375</b>	
<b>Plaintiff/Petitioner:</b> <b>Dute Partners II, LLC</b> <b>Defendant/Respondent:</b> <b>Arnoldo G. Casillas, et al.</b>				
<b>PROOF OF SERVICE</b>	Hearing Date:	Time:	Dept/Div:	Case Number: <b>NOTICE</b>

I, the undersigned declare that at the time of the service of the papers herein referred to, I was at least EIGHTEEN (18) years of age, and that I served the following notice:

**Foreclosure Notice to Quit & Coversheet**

On the following tenant(s): **Arnoldo G. Casillas**

Address: **35966 Burning Tree Drive**  
**Newark, CA 94560**

Date and Time of Posting: **11/7/2016 at 05:40pm.**

There being no person of suitable age or discretion to be found at the property, and a business address could not be ascertained, service was effected BY POSTING a copy for the above-named entity(s) in a conspicuous place on the property therein described, and thereafter by MAILING by first-class mail on said date a copy to each entity(s) by depositing said copies in the U.S. Mail in a sealed envelope with postage fully pre-paid, addressed to the above-named entity(s) at the place where the property is situated.

7. Person Serving (name, address, and telephone No.):

**Attorney Service of San Dimas**  
**142 East Bonita Avenue, #51**  
**San Dimas, CA 91773**  
**(909)394-1202 Fax (909)394-1204**

Fee for service: \$ **\$80.00**

**Robert Downing**

Registered California Process Server

- (I) Independent Contractor
- (II) Registration No.: **82**
- (III) County: **Alameda**

8. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: **11/8/2016**

  
**(Signature)**

Attorney or Party Without Attorney (Name and Address) Law Offices of Sam Chandra 710 S. Myrtle Avenue, # 600 Monrovia Attorney For: PLAINTIFF		Telephone No: (626)256-4999	FOR COURT USE ONLY	
CA	91016	Reference Number: 3702388 22375		
Plaintiff/Petitioner: Duke Partners II, LLC Defendant/Respondent: Arnoldo G. Casillas, et al.				
PROOF OF SERVICE	Hearing Date:	Time:	Dept/Div.:	Case Number: NOTICE

I, the undersigned declare that at the time of the service of the papers herein referred to, I was at least EIGHTEEN (18) years of age, and that I served the following notice:

**Foreclosure Notice to Quit & Coversheet**

On the following tenant(s): Irma V. Jasso

Address: 35966 Burning Tree Drive  
Newark, CA 94560

Date and Time of Posting: 11/7/2016 at 05:40pm.

There being no person of suitable age or discretion to be found at the property, and a business address could not be ascertained, service was effected BY POSTING a copy for the above-named entity(s) in a conspicuous place on the property therein described, and thereafter by MAILING by first-class mail on said date a copy to each entity(s) by depositing said copies in the U.S. Mail in a sealed envelope with postage fully pre-paid, addressed to the above-named entity(s) at the place where the property is situated.

7. Person Serving (name, address, and telephone No.):

**Attorney Service of San Dimas**  
142 East Bonita Avenue, #51  
San Dimas, CA 91773  
(909)394-1202 Fax (909)394-1206

Fee for service: \$ \$0.00

Robert Downing

Registered California Process Server.

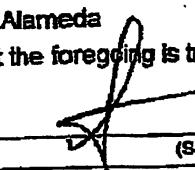
Independent Contractor

Registration No.: 82

County: Alameda

8. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: 11/8/2016

  
(Signature)

Code Civil Procedure 417.5(b)

Attorney or Party Without Attorney (Name and Address) Law Offices of Sam Chandra 710 S. Myrtle Avenue, # 600 Monrovia Attorney For: PLAINTIFF		Telephone No: <b>(626)256-4999</b>	FOR COURT USE ONLY	
CA 91016		Reference Number: <b>3702367</b>	22375	
Plaintiff/Petitioner: Duke Partners II, LLC Defendant/Respondent: Arnoldo G. Casillas, et al.				
<b>PROOF OF SERVICE</b>	Posting Date:	Time:	Dept/Div.:	Case Number: <b>NOTICE</b>

I, the undersigned declare that at the time of the service of the papers herein referred to, I was at least EIGHTEEN (18) years of age, and that I served the following notice:

**Foreclosure Notice to Quit & Coversheet**

On the following tenant(s): All Unknown Occupants in Possession of the Premises

Address: 35966 Burning Tree Drive  
Newark, CA 94560

Date and Time of Posting: 11/7/2016 at 05:40pm.

There being no person of suitable age or discretion to be found at the property, and a business address could not be ascertained, service was effected BY POSTING a copy for the above-named entity(s) in a conspicuous place on the property therein described, and thereafter by MAILING by first-class mail on said date a copy to each entity(s) by depositing said copies in the U.S. Mail in a sealed envelope with postage fully pre-paid, addressed to the above-named entity(s) at the place where the property is situated.

7. Person Serving (name, address, and telephone No.):

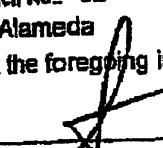
**Attorney Service of San Dimas**  
142 East Bonita Avenue, #51  
San Dimas, CA 91773  
(909)394-1202 Fax (909)394-1204

Fee for service: \$ **\$0.00**

Robert Downing  
Registered California Process Server.  
(I) Independent Contractor  
(II) Registration No.: 82  
(III) County: Alameda

8. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: 11/8/2016

  
(Signature)

Code Civil Procedure 417.10(b)